

ENTERED

June 13, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**BLACKWATER INDUSTRIES, LLC,
et al.,

Plaintiffs.

V.

DGC CORPORATION,

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:23-cv-02713

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On May 3, 2024, Defendant's Motion to Dismiss or Transfer for Forum Non Conveniens (Dkt. 14) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 22. Judge Edison filed a Memorandum and Recommendation on May 28, 2024, recommending the Motion to Dismiss be **DENIED**, but the alternative Motion to Transfer be **GRANTED**, and this matter transferred to the United States District Court for the Eastern District of Virginia, Alexandria Division, where forum and venue are proper. Dkt. 25.

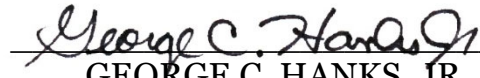
No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 25) is **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendant's Motion to Dismiss (Dkt. 14) is **DENIED**, but its alternative Motion to Transfer is **GRANTED**; and
- (3) This matter is transferred to the United States District Court for the Eastern District of Virginia, Alexandria Division, where forum and venue are proper.

It is so **ORDERED**.

SIGNED at Houston, Texas on June 13, 2024.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE